

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS

UNITED STATES OF AMERICA)	
)	
v.)	No. 4:14CR00226 BRW
)	
THE-NIMROD STERLING)	

ORDER

Before the Court is the United States of America's motion to dismiss forfeiture allegation as to certain property (Dkt. 142). During the course of the investigation of the above-referenced matter, the Alcohol, Tobacco, and Firearms Bureau seized from The-Nimrod Sterling ("Defendant") one Mossberg, Model 500, 12 gauge shotgun, serial number H021262 and twelve rounds of assorted ammunition ("the seized property"). The indictment filed in this case gave notice of the United States' intent to seek at sentencing the forfeiture of the seized property. In addition to the criminal forfeiture proceeding, the ATF also started administrative forfeiture proceedings against the seized property. On April 2, 2015, the ATF completed its administrative forfeiture proceedings and issued an administrative declaration of forfeiture. A declaration of forfeiture has the same force and effect as a judicial decree of forfeiture; therefore, the seized property now belongs to the United States and a criminal forfeiture action is unnecessary. Accordingly, the motion is GRANTED, and the seized property is dismissed from the forfeiture allegation.

SO ORDERED this 6th day of October 2016.

/s/Billy Roy Wilson
UNITED STATES DISTRICT JUDGE